

### **REMARKS**

Claims 1, 3, 5-9, 11-15, 17 and 19-24 are pending in this Application. Claims 1 and 19 are independent claims. By this Amendment, claim 16 is cancelled without prejudice or disclaimer. Claims 1, 5, 14, 19 and 21-23 are amended and claim 24 is added. No new matter is added.

### **Drawing Objections**

The drawings are also objected to for failing to show “the at least one of the current path has no operating switch device”. As claim 16 is cancelled, withdrawal of the objection is respectfully requested.

### **Claim Objections**

Claim 5 is objected to for an antecedence issue. As claim 5 is amended to correct the informality, withdrawal of the objection is respectfully requested.

Claim 21 is objected to due to the recitation of “the protective device is in the form of at least one of a semiconductor motor controller, a semiconductor contactor and an electromechanical switching device.” As claim 21 is amended to address the objection, withdrawal of the objection is respectfully requested.

### **Rejections under 35 U.S.C. §103**

Claims 1-3, 5-9, 11, 13-17, 19-21 and 23 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication 2003/0119382 to Narusevicius et al. (Narusevicius) in view of U.S. Patent 6,600,292 to James and U.S. Patent 6,710,698 to Jehlicka.

As claim 16 is cancelled, the rejection of that claim is moot. The rejection of the remaining pending claims is respectfully traversed.

Narusevicius relates to an apparatus for controlling medium voltage electrical equipment, such as motors, transformers, reactors and capacitors. In Narusevicius discloses a voltage motor controller 102 includes a three-phase bus 202 that connects a disconnect switch 204, which is connected to a set of fuses 206A-C. A contactor 210 is connected to fuses 206A-C and a load 220 through draw-out stabs and connectors 208 and 212. Between the stabs and the connectors 212 and the load 220 are a load discharge device 214 and current transformers 218 (paragraph [0056]; Fig. 2). The fuses 206 may be housed in a fuse holder 2010 (Figs. 19, 20) that is removable from the motor controller.

It is alleged in the Office Action that the fuse holder 2010 of Narusevicius corresponds to the claimed “disconnection device.” However, the fuse holder 2010 is not on an exterior surface of the protective switching device (i.e., the medium voltage motor control center cold-welded electrical connector 102-110). Rather, as clearly shown for example in Fig. 1 of Narusevicius, there is no fuse holder on the exterior of any of controllers 102-110.

As James and Jehlicka merely relate to semiconductor fuses, the combination of references fails to disclose or suggest all of the features recited in the claims, as amended.

It is also alleged in the Office Action that the temperature sensor 2714 shown in Fig. 27 of Narusevicius corresponds to the claimed “overload device” of claims 14 and 15. However, the temperature sensor 2714 is described in Narusevicius as being a ruby crystal arranged in direct contact with the component to be monitored. Thus, Narusevicius does not disclose or suggest that the temperature sensor 2714 is arranged in series with the operating switch device, the disconnection device and the protective device, and between the switching device and the appliance.

It is further alleged in the Office Action that Narusevicius discloses a handle on an exterior of the protective switching device, the handle being connected to the moving part at paragraph [0096]. Paragraph [0096] describes Fig. 21 illustrating a housing 2104 of the disconnection switch 1902. The disconnect switch 1902 includes an operator connector 2102 into which a handle fits that operated the disconnect switch 1902.

As the disconnect switch 1902 does not correspond to the claimed protective switching device, but rather serves to hold the fuses (see Fig. 19), a handle on the disconnect switch would not be a handle on an exterior of the housing of the protective switching device, as recited in claim 23, as amended.

Because the combination of references fails to disclose or suggest all of the features of the claims, the combination of references fails to render the rejected claims obvious. Therefore, withdrawal of the rejection is respectfully requested.

Claim 12 stands rejected under 35 U.S.C. §103(a) as unpatentable over Narusevicius in view of James and Jehlicka and further in view of U.S. Patent No. 4,317,076 to Price. The rejection is respectfully traversed.

Claim 12 is allowable for its dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein. As such, withdrawal of the rejection is respectfully requested.

Claim 22 stands rejected under 35 U.S.C. §103(a) as unpatentable over Narusevicius in view of James and Jehlicka and further in view of U.S. Patent 5,969,587 to Combas.

Claim 22 is allowable for its dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein. For example, the

combination of references fails to disclose or suggest input terminals and output terminals on an exterior of the housing of the protective switching device, as recited in the claim as amended.

It is admitted that none of Narusevicius, James and/or Jehlicka disclose or suggest input and output terminals on an exterior of the protective switching device. In an effort to overcome the admitted deficiency, it is alleged that Combas discloses input and output terminals on an exterior of a protective switching device at Fig. 3. However, Fig. 3 of Combas is a cross-sectional view of the device showing interior elements. For example, an input terminal 26 and output terminals 27A, 27B are shown as being arranged in the interior of the device. Exterior views of the device (Figs. 1 and 2) clearly indicate there the terminals 26, 27a and 27 B are not on the exterior of the device. Thus, withdrawal of the rejection is respectfully requested.

#### **New Claim**

None of the applied references, whether considered alone or in combination, disclose or suggest the protective switching device as claimed in claim 22, wherein the input terminals and output terminals are on a same exterior surface of the housing, as recited in new claim 23.

#### **CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims in connection with the present application is earnestly solicited.

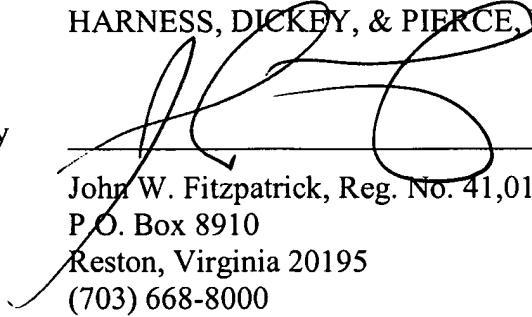
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Fitzpatrick at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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